

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
In re: PepsiCo, Inc., Bottled Water Sales and
Marketing Practices Litigation
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7:08-md-01903 (CLB) (MDF)

MDL No. 1903

**DECLARATION OF DIANE PETROCCIONE IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS**

DIANE PETROCCIONE, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

1. I am the Senior Manager, Scientific Regulatory Affairs, of Defendant PepsiCo, Inc. and submit this declaration on the basis of personal knowledge in support of the Motion to Dismiss by Defendants PepsiCo, Inc, The Pepsi Bottling Group, Inc and Pepsi Bottling Ventures LLC.

2. I have worked for PepsiCo, Inc. continuously since February 2001. During that time, the words "purified drinking water" have always appeared prominently on the front of the label of PepsiCo's Aquafina brand bottled water ("Aquafina") sold throughout the United States.

3. I am attaching hereto as Exhibit A, a true and correct copy of an Aquafina label used in New York state, which is representative of the labels used on all Aquafina bottled water sold in the United States. Only the statement on the bottle's label concerning the identity of the bottler would differ in different geographical regions.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 9, 2008.


Diane Petroccione

EXHIBIT

A

20 FL. OZ.
(1.25 PT) 591 mL

Pure Water • Perfect Taste
PURIFIED DRINKING WATER

20 FL. OZ.
(1.25 PT) 591 mL



0 CALORIES • SODIUM FREE

For more information about our purification process, visit www.aquafina.com



123M-329-62-CK

CT NO. 045

For questions or comments, call 1-800-433-2652



ME-HI 5¢ CA CRV



AQUAFINA IS A SMART CHOICE BECAUSE EVERY SERVING IS CALORIE FREE AND SODIUM FREE. VISIT WWW.SMARTSPOT.COM

16.9 FL OZ
(1.05 PT)
500 mL

Pure Water • Perfect Taste
PURIFIED DRINKING WATER



ME-HSCA
For questions or
call 1-800-433-

ME-H56-CA
questions or call 1-800-433-

0 CALOR SODIUM FREE

BOTTLED AT THE SOURCE P.W.S.

BY C/PF, INC., AYER, MA 01432

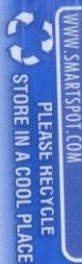
NYSHD CERT. #3.

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STORE IN A COOL PLACE



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